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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,428	09/23/2003	Cheng-Jy Tien	MR1111-1184	3283
4586	7590	01/12/2006	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			TRAN, HANH VAN	
			ART UNIT	PAPER NUMBER
			3637	
DATE MAILED: 01/12/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/667,428

Applicant(s)

TIEN

Examiner

Hanh V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-7 is/are rejected.
- 7) ☒ Claim(s) 2 and 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the First Office Action on the Merits from the examiner in charge of this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1, 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 3,556,588 to Monyer et al in view of WO 03/015577 to Jung et al and USP 6,045,179 to Harrison.

Monyer et al discloses a table comprising a chair frame, an arm 38, a sideboard, wherein the chair frame on each side including a back rod 18 and a seat rod; a pivot holder 26 to pivot a rear end of the arm 38 being each provided on the side of the back rod 18, a retaining lever being laterally fastened to the pivot holder 26 to hold against the rear end of the arm 38; a front end of the arm allowing to be lifted in relation to the

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pivot holder and a hole 60 being provided vertically on the front end of the arm; and the sideboard being provided with a sleeve 44 to receive insertion of the arm, a board 42 being extended downward from the sleeve, a through holes being provided on a portion of the sleeve being fastened to the hole on the arm with a positioning member 60, two holes being provided in the sleeve of the sideboard, and either of the two holes being elected to receive insertion of the arm, and hole being laterally provided on the front end of the arm 38. The differences being that Monyer et al does not disclose two sideboards, a plurality of through holes being provided on the circumferential portion of the sleeve, a fixation hole being provided at two relative ends of the two sideboards, and both horizontally abutted fixation holes being buckled to each other by a cap, wherein the cap contains a hollow wall to buckle holes of the sideboards to secure the two sideboards.

Jung et al teaches the idea of providing two sideboards, a fixation hole being provided at two relative ends of the two sideboards, and both horizontally abutted fixation holes being buckled to each other by various means in order to provide a large working surface when the two sideboards being connected to each other. Therefore, it would have been obvious to modify the structure of Monyer et al by providing two sideboards, a fixation hole being provided at two relative ends of the two sideboards, and both horizontally abutted fixation holes being buckled to each other by in order to provide a large working surface when the two sideboards being connected to each other. In regard to a cap, wherein the cap contains a hollow wall to buckle holes of the sideboards to secure the two sideboards, it would have been obvious and well within

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the level of one skill in the art to modify the buckle means of Monyer et al, as modify by Jung et al, by providing various structure of buckle means including a cap, wherein the cap contains a hollow wall to buckle holes of the sideboards to secure the two sideboards.

Harrison teaches the idea of adjustable tablet armchair by providing a first arm having a hole therein, a sleeve 46 for engaging the first arm; wherein the sleeve comprises a plurality of holes 56 being provided on the circumferential portion of the sleeve in order to adjust the length between the distal ends of the arm and the sleeve. Therefore, it would have been obvious to modify the structure of Monyer et al, as modified, by providing the sleeve with a plurality of holes being provided on the circumferential portion of the sleeve in order to adjust the length between the distal ends of the arm and the sleeve, as taught by Harrison, since both teach alternate conventional tablet armchair structure, used for the same intended purpose, thereby providing structure of claimed.

Allowable Subject Matter

5. Claims 2-3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tornero et al, Bryan, Scott, Dearing et al, Slagerman, Miller,

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Polsky, Junkunc, JP 11099033, and Figueras all show structures similar to various elements of applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (571) 272-6868. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVT
January 08, 2006



Hanh V. Tran
Art Unit 3637